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*Attorneys for David Bagley,
 Liquidating Trustee of the DCR Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEVADA**

In re:
 DESERT CAPITAL REIT, INC.,
 Debtor.

Case No.: 11-16624-LBR
 Chapter 11

DAVID BAGLEY, the liquidating trustee of the
 DCR Liquidating Trust,

Adv. No. 13-01075-lbr

Plaintiff

v.

TODD PARRIOTT, an individual, and
 PHILLIP PARRIOTT, an individual

Defendants.

**STIPULATION FOR BANKRUPTCY
 COURT TO CERTIFY THIS MATTER
 TO THE DISTRICT COURT PURSUANT
 TO LR 9015(e)**

1 Plaintiff, David Bagley (“Trustee”), in his capacity as the liquidating trustee of the DCR
2 Liquidating Trust, by and through his counsel, the law firms of Gordon Silver and Heller,
3 Draper, Patrick & Horn, L.L.C., Defendant Phillip Parriott (“Phillip”), by and through his
4 counsel, Walsh & Friedman, Ltd., and Defendant Todd Parriott (“Todd”), by and through his
5 counsel, Fox Rothschild, LLP, hereby stipulate and agree as follows:

6 **RECITALS**

7 A. On April 24, 2013, Trustee filed his Complaint [ECF No. 1] against Phillip and
8 Todd to avoid and recover transfers of property pursuant to 11 U.S.C. §§ 544, 548, 550 and 551.
9 See ECF No. 1.

10 B. In their Answers to the Complaint, Phillip and Todd both timely demanded a jury
11 trial in accordance with LR 9015(c). See ECF Nos. 16, 23.

12 C. Trustee, Phillip, and Todd have conferred and agree that they have a right to a
13 jury trial.

14 D. NOW, THEREFORE, Trustee, Phillip, and Todd stipulate as follows:

15 **STIPULATIONS**

16 1. Trustee, Phillip, and Todd consent to the Bankruptcy Court certifying this matter
17 to the District Court for a jury trial pursuant to LR 9015(e).

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1 DATED this 17th day of January, 2014.

2 STIPULATED AND AGREED TO BY:

3 GORDON SILVER

WALSH & FRIEDMAN, LTD.

4
5 By: /s/ Kirk D. Homeyer
6 GERALD M. GORDON, ESQ.
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By: /s/ Matthew P. Pawlowski
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9 and

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14 *Attorneys for David Bagley, Liquidating*
15 *Trustee of the DCR Liquidating Trust*

16 FOX ROTHSCHILD LLP

17
18
19 By: /s/ John H. Gutke
20 MARK J. CONNOT, ESQ.
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3800 Howard Hughes Parkway,
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Las Vegas, Nevada 89169

22 *Attorneys for Todd Parriott*
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27
28

L. B. Riegle

Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
January 22, 2014

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Liquidating Trustee of the DCR Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

DESERT CAPITAL REIT, INC.,

Debtor.

Case No.: 11-16624-LBR
Chapter 11

Adv. No. 13-01075-lbr

1 DAVID BAGLEY, the liquidating trustee of the
2 DCR Liquidating Trust,

3 Plaintiff

4 v.

5 TODD PARRIOTT, an individual, and
6 PHILLIP PARRIOTT, an individual

7 Defendants.

**ORDER APPROVING STIPULATION
FOR BANKRUPTCY COURT TO
CERTIFY THIS MATTER TO THE
DISTRICT COURT PURSUANT TO LR
9015(e)**

8 Plaintiff David Bagley, in his capacity as the liquidating trustee of the DCR Liquidating
9 Trust, by and through his counsel, the law firms of Gordon Silver and Heller, Draper, Patrick &
10 Horn, L.L.C., Defendant Phillip Parriott, by and through his counsel, Walsh & Friedman, Ltd.,
11 and Defendant Todd Parriott, by and through his counsel, Fox Rothschild, LLP, entered into that
12 certain *Stipulation to for Bankruptcy Court to Certify this Matter to the District Court Pursuant
to LR 9015(e)* (the “Stipulation”).¹

13 The Court, having read and considered the Stipulation and good cause appearing therefor,
14 IT IS HEREBY ORDERED that:

15 1. The Stipulation is approved in its entirety.

16 2. This matter is hereby certified to the District Court for a jury trial pursuant to LR
17 9015(e).

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28 ¹ Capitalized, undefined terms herein shall have those meanings ascribed to them in the Stipulation.

1 PREPARED AND SUBMITTED:

2 GORDON SILVER

3 By /s/ Kirk D. Homeyer

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13 *Liquidating Trustee of the DCR Liquidating Trust*

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